

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EDWARD ROBINSON, JR.,

Petitioner,

vs.

DIANE SABATKA-RINE, Warden of
Nebraska State Penitentiary,

Respondent.

8:13CV197

ORDER

This matter is before the court on the respondent's Stipulation of Case Progression (Filing No. 30) and the petitioner's Motion for Progression Order (Filing No. 31). The parties were unable to agree to progression of the case. The petitioner, who recently obtained new counsel, seeks leave until January 26, 2015, to review the case records and other evidence to determine whether an amendment to the Petition or briefing is necessary. The respondent opposes any delay of the resolution of this matter. The court finds a short delay is reasonable under the circumstances. Accordingly,

IT IS ORDERED:

1. The respondent's Stipulation of Case Progression (Filing No. 30) is denied.
2. The petitioner's Motion for Progression Order (Filing No. 31) is granted.
3. The petitioner shall have to **on or before January 26, 2015**, to file a Motion for Amended Petition or an amended brief on the merits of the current Petition. Absent a subsequent motion by either party, the standard briefing schedule provided in the local rules will apply.

Dated this 18th day of November, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge